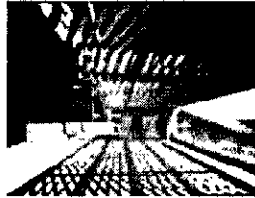


AGENDA

Thursday, October 22, 2009

The Austin City Council will convene at 10:00 AM on
Thursday, October 22, 2009 at Austin City Hall
301 W. Second Street, Austin, TX

AUSTIN CITY CLERK
POSTING: DATE/TIME
2009 OCT 16 PM 6 10



Mayor Lee Leffingwell
Mayor Pro Tem Mike Martinez
Council Member Chris Riley, Place 1
Council Member Randi Shade, Place 3
Council Member Laura Morrison, Place 4
Council Member William Spelman, Place 5
Council Member Sheryl Cole, Place 6

For meeting information, contact the City Clerk, 974-2210

The City Council will go into a closed session under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, to discuss or take action on a "competitive matter" of Austin Energy as provided for under Section 551.086, or for other reasons permitted by law as specifically listed on this agenda. If necessary, the City Council may go into a closed session as permitted by law regarding any item on this agenda.

Reading and Action on Consent Agenda

Action on the Following:

Ordinances / Resolutions / Motions -

All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.

9:55 AM -- Invocation

Lt. Frankie Zuniga, Salvation Army

10:00 AM -- City Council Convenes

Approval of Minutes

1. Approve the Minutes of the Austin City Council regular meeting of September 24, 2009, special called meeting of October 14, 2009 and regular meeting of October 15, 2009.

Austin Water Utility

2. Approve an ordinance modifying the expiration date of Service Extension Request Nos. 2706, 2708 and 2710 for water service for SLF III – ONION CREEK, L.P., owner of Stratford Tracts I, II and III located south of Onion Creek and west of Interstate Highway 35 South and waiving the requirements of Section 25-9-39 of the City Code relating to expiration of service extension request approval. Recommended by the Water and Wastewater Commission.
3. Approve an ordinance authorizing negotiation and execution of a cost reimbursement agreement with SLF III – ONION CREEK, L.P., related to Service Extension Request Nos. 2707, 2709 and 2711, for construction of 15-inch, 18-inch and 24-inch gravity wastewater mains and appurtenances to serve property south of Onion Creek and west of Interstate Highway 35 South with City cost reimbursement for an overall total amount not to exceed \$2,221,800.00 and waiving the requirements of Section 25-9-39 of the City Code relating to expiration of service extension request approval. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.
4. Approve Service Extension Request No. 2865 for wastewater service not to exceed an estimated peak wet weather flow of 16 gallons per minute (gpm) for SHADY HOLLOW MUD, the owner of a property located within the Drinking Water Protection Zone in the City's extraterritorial jurisdiction at 12010 BRODIE LN. Recommended by the Water and Wastewater Commission.

Code Compliance

5. Approve a resolution authorizing application for grant funding from the Capital Area Planning Council of Governments (CAPCOG) under the 2010-2011 Regional Solid Waste Grant Program in the amount of \$41,600 to enhance existing illegal dumping deterrence efforts. \$41,600 from the 2010-2011 Regional Solid Waste Grant Program (CAPCOG).

Contract and Land Management

6. Authorize the acquisition for the South IH-35 Water and Wastewater Infrastructure Improvements Program for 4.323 acres of right-of-way, .256 acre slope easement, .047 acre slope easement, .432 acre slope easement and .340 acre waterline easement from land situated in the Santiago Del Valle Grant, Abstract Number 24, Travis County, Texas, located at Capitol View Drive owned by JORGE CHEN LAU AND WEI HONG FAN in the amount not to exceed \$69,509. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility.
7. Approve the acquisition for the Austin Water Utility: Water Reclaim Initiative-Central Phase 3a-Red River to University of Texas of a 1,514 square-foot water line easement out of portions of Lot 14 and Lot 15 in Archway, a subdivision of Outlot 9, Division "D", in the City of Austin, Travis County, Texas, located at East Dean Keeton Street, and a 64,467 square-foot temporary staging and materials storage easement out of Outlot 26, Division "C" in the City of Austin, Travis County, Texas, located at Red River Street, from the University of Texas in an amount not to exceed \$255,471. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility.
8. Authorize negotiation and execution of all documents necessary for the fee simple sale of approximately 2.253 acres located on RM 2769 West of RM 620 to the State of Texas for right of way, in the amount of \$411,747. Recommended by the Water and Wastewater Commission.
9. Authorize execution of a construction contract with TMI COATINGS, INC., (WBE/FW 71.85%) St. Paul, MN, for the Capital of Texas Reservoir recoating and safety improvements in the amount of \$657,700, plus a contingency of \$65,770 for a total contract amount not to exceed \$723,470. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Lowest bid of three (3) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women-Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 7.40% MBE and 16.34% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
10. Authorize execution of a construction contract with AUSTIN ENGINEERING CO., INC., Austin, TX, for the South IH-35 Water and Wastewater Infrastructure Improvements Program Goodnight Ranch Phase II, 48-inch Water Main project in the amount of \$1,149,073.50 plus \$80,435.15 contingency, for a total contract amount not to exceed \$1,229,508.65. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Lowest bid of eleven (11) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 3.22% MBE and 2.80% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
11. Authorize execution of a construction contract through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (TXMAS) with K-CONN BUILDING SYSTEMS, North Charleston, SC, for Chestnut House Building in the amount of \$463,059 plus a \$46,305.90 contingency, for a total contract amount not to exceed \$509,364.90. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Parks and Recreation Department. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation.

12. Authorize execution of a construction contract with HAEGELIN CONSTRUCTION COMPANY, LTD., Austin, TX, for the Govalle 24-inch and Jimmy Clay 12-inch Force Main Rehabilitation project in an amount not to exceed \$201,801. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Lowest bid of twelve (12) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 11.40% MBE and 4.78% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
13. Authorize execution of a construction contract with RANGER EXCAVATING, LP, Austin, TX, for the Water Treatment Plant 4 (WTP4) Raw Water Pump Station Excavation and Stormwater Facilities in the amount of \$3,142,550 plus a \$157,127.50 contingency, for a total contract amount not to exceed \$3,299,677.50. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Lowest bid of four (4) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 18.56% MBE and 2.62% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
14. Authorize negotiation and execution of an amendment to the professional services agreement with URS CORPORATION, A NEVADA CORPORATION, Austin, TX, for additional preliminary engineering and program management services for the South IH-35 Water and Wastewater Infrastructure Improvements Program in an amount not to exceed \$3,407,736 for a total contract amount not to exceed \$9,998,902. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) with 31.42% MBE and 8.37% WBE subconsultant participation to date. Reviewed by the Water and Wastewater Commission.
15. Authorize negotiation and execution of an amendment to the professional services agreement with WALLACE, ROBERTS, & TODD, LLC, Philadelphia, PA for professional planning services for the new Comprehensive Plan for the City of Austin in the amount of \$1,190,000, for a total contract amount not to exceed \$1,340,000. Funding in the amount of \$1,190,000 is available in the Fiscal Year 2009-2010 Capital Budget of the Planning and Development Review Department. This contract was awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) with 16.80% MBE and 14.20% WBE subconsultant participation.

Fire

16. Authorize negotiation and execution of a Renewal and Amendment to the Interlocal Agreement for Fire Protection Services between the City of Austin and the City of Sunset Valley under which Austin provides fire protection and emergency service response to the full purpose and extra-territorial jurisdiction of the City of Sunset Valley.

Health and Human Services

17. Approve an ordinance accepting \$27,280 in grant funds from the NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS, Washington, D.C., and amending the Fiscal Year 2009-2010 Health and Human Services Operating Budget Special Revenue Fund of Ordinance No. 20090914-002 to appropriate \$27,280 to participate in a nationwide public health accreditation beta test. Funding is available from the National Association of County and City Health Officials. The grant period is September 1, 2009 through December 31, 2010. No city match is required.
18. Approve an ordinance accepting \$1,220,000 in grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS), COMMUNITY PREPAREDNESS SECTION, and amending the Fiscal Year 2009-2010 Health and Human Services Department Operating Budget Special Revenue Fund of Ordinance No. 20090914-002 to

appropriate \$1,220,000 for the purpose of preparing for an influenza pandemic. Funding is available from the Texas Department of State Health Services, Community Preparedness Section. The grant period is from September 15, 2009 through July 31, 2010. No City match is required.

19. Approve an ordinance accepting \$383,734 in grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, INFECTIOUS DISEASE INTERVENTION AND CONTROL BRANCH and amending the Fiscal Year 2009-2010 Health and Human Services Department Operating Budget Special Revenue Fund of Ordinance No. 20090914-002 to appropriate \$383,734 to provide refugee health screening and add two full-time equivalent grant positions. Funding is available from the Texas Department of State Health Services, Infectious Disease Intervention and Control Branch. The grant period is October 1, 2009 through September 30, 2010. No City match is required.
20. Approve negotiation and execution of Amendment No. 2 to an agreement with CENTRAL TEXAS COMMUNITY HEALTH CENTERS, INC. for Ryan White Part C Early Intervention Services to increase funding by \$21,169, for a total contract amount of \$429,200 for the first 10-month period, with two 12-month renewal options in an amount not to exceed \$489,637 for each renewal term, for a total contact amount not to exceed \$1,408,474. Funding is available in the Fiscal Year 2008-2009 Operating Budget of the Health and Human Services Department Special Revenue Fund, Ryan White Part C Early Intervention Services program. The grant period is January 1, 2009 to December 31, 2009.
21. Approve negotiation and execution of Amendment No. 7 to the Interlocal Agreement among the CITY OF AUSTIN, AUSTIN TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER, Austin, TX, and TRAVIS COUNTY to increase Travis County's funding by \$157,940 for the period January 1, 2009 through December 31, 2009. Funding is available from the Travis County Parenting Recovery grant. These funds are paid directly to Austin Travis County Mental Health Mental Retardation Center by Travis County. City funding is not impacted.

Law

22. Approve a settlement regarding Charles Wilks and Eunice Wilks v. The City of Austin; No. D-1-GN-08-002518; In the District Court of Travis County, Texas, 201st Judicial District (concerns a serious injury collision involving an APD vehicle).

Planning and Development Review

23. Approve an ordinance to annex the Ferguson Lane – Brown Lane Annexation Area for full purposes (approximately 22 acres in eastern Travis County east of Brown Lane and west of Ferguson Lane approximately 875 feet north of the intersection of Ferguson Lane and Brown Lane) and waive zoning application fees for property within the annexed area for a period of one year from the effective date of annexation. Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will provide the services.
24. Approve an ordinance to annex the Northwest Hills Ranch Annexation Area for full purposes (approximately 20 acres in northern Travis County east of D K Ranch Road generally located 275 feet south of the intersection of D K Ranch Road and Texas Plume Road) and to waive animal enclosure distance requirements in City Code Section 3-2-14 for ten years in the annexed area. Funding necessary to provide general governmental services to this tract is available in the budgets of the department which will provide the services.
25. Approve an ordinance to annex the Shaw Lane Quarry Annexation Area for full purposes (approximately 184 acres in eastern Travis County approximately 2,225 feet south of the intersection of McKinney Falls Parkway and Shaw Lane). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will provide the services.

26. Approve an ordinance to annex the Reserve at Westhill Annexation Area for full purposes (approximately 7 acres in northern Travis County at the northwest corner of the intersection of Yaupon Drive and Texas Plume Road). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will provide the services.
27. Approve an ordinance adopting the 5200 McKinney Falls Parkway Annexation and Development Agreement, concerning annexation and development of approximately 69 acres in eastern Travis County generally located 3,545 feet southwest of the intersection of McKinney Falls Parkway and Shaw Lane.

Police

28. Approve ordinance amending section 12-1-1 and creating section 12-1-34 of the City Code to prohibit the use of wireless communication devices for electronic messaging while operating a motor vehicle, and creating an offense.
29. Approve an ordinance accepting \$200,000 in grant funds from the Bureau of Justice Assistance, Fiscal Year 2009 Law Enforcement Task Forces, Human Trafficking Victims Continuation Program; and amending the Fiscal Year 2009-2010 Police Department Operating Budget Special Revenue Fund of Ordinance No 20090914-002 to appropriate \$200,000 for the Austin/Travis County Human Trafficking Task Force. Funding is available from the BJA Fiscal Year 2009 Law Enforcement Task Forces for Human Trafficking Victims Continuation Program. An in-kind match of \$92,748 is included in the Fiscal Year 2009-2010 operating budget of the Austin Police Department. The supplement amends grant 2005-VT-BX-0017 and extends the grant period to September 30, 2010.
30. Approve ordinance adding a new section 12-1-35 (Vulnerable Road Users) to the City Code relating to restrictions on operating a motor vehicle near vulnerable road users, and creating an offense.

Public Works

31. Authorize execution of Amendment No. 1 to an Interlocal Agreement between the City of Austin and Williamson County for the improvement of Pond Springs Road between its intersections with US 183, in an amount not to exceed \$200,000. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.
32. Approve an ordinance amending ordinance no. 20090806-016 related to a community facilities agreement with Austin BC, LP, to construct improvements to 44th Street in order to waive applicable site plan review and inspection fees.

Purchasing Office

33. Authorize award and execution of a 36-month requirements service contract with GILA CORPORATION dba MUNICIPAL SERVICES BUREAU, Austin, TX to collect delinquent accounts receivable for the Emergency Medical Services Department in an estimated amount not to exceed \$1,085,313, with three 12-month extension options in an estimated amount not to exceed \$361,771 per extension option, for a total estimated contract amount not to exceed \$2,170,626. Funding in the amount of \$361,771 is available in the Fiscal Year 2009-2010 Operating Budget of the Emergency Medical Services Department. Funding for the remaining 24 months of the original contract period and extension options is contingent upon available funding in future budgets. Best evaluated bid of nine bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

34. Authorize award and execution of a contract through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) with SIDDONS FIRE APPARATUS, INC., Houston, TX, for the purchase of five pumper fire trucks, one combination aerial/pumper fire truck (quint), and one brush fire truck in an amount not to exceed \$3,128,000. Funding is available in the Fiscal Year 2009-2010 Vehicle Acquisition Fund. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Woman Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation.
35. Authorize award and execution of a 12-month Professional Services contract with SUMA/ORCHARD SOCIAL MARKETING, INC., Austin, TX for services related to social marketing and media services in an estimated amount not to exceed \$250,000, with four 12-month extension options in an estimated amount not to exceed \$250,000 per extension option, for a total estimated contract amount not to exceed \$1,250,000. Funding in the amount of \$125,000 is available in the Fiscal Year 2009-2010 Operating Budget of the Health & Human Services Department Special Revenue Fund through a federal grant for Public Health Emergency Response. Additional funding sources would be provided by additional grants and would not be allocated until a need to expend funds was provided. Funding for the remaining extension options is contingent upon available funding in future budgets. Professional Services. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
36. Authorize the award and execution of a contract with TRIVAN TRUCK BODY TEXAS, LLC, Waco, TX for the purchase of two self-contained mobile shower trailers in an amount not to exceed \$144,305. Funding is available in the Fiscal Year 2007 Metro Medical Response System grant from the Department of Homeland Security. Lowest bid meeting specification of four bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

Treasury Office

37. Adopt a resolution approving issuance by Northwest Austin Municipal Utility District No. 1 of Unlimited Tax Refunding Bonds, Series 2009, in a principal amount not to exceed \$2,780,000; and approving a draft of the District's Bond Order and Preliminary Official Statement in substantially the form provided by the District. The City is not responsible for payment of District bond debt service until dissolution of the District. Once the dissolution of the District takes place, the avoided debt service associated with the refunding would also benefit the City of Austin.

Item(s) from Council

38. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
39. Approve a resolution directing the City Manager to study the possible implementation of a program under Chapter 376 of the Local Government Code to provide for the financing of private energy efficiency and renewable energy measures through the issuance of municipal bonds to be repaid by voluntary property assessments on the improved properties. (Mayor Lee Leffingwell, Council Member Randi Shade and Mayor Pro Tem Mike Martinez)
40. Approve a resolution directing the City Manager to implement recycling at City sponsored events. (Mayor Pro Tem Mike Martinez, Mayor Lee Leffingwell and Council Member Laura Morrison)

41. Approve a resolution directing the city manager to process a code amendment to prohibit the relocation of billboards within 500 feet of a legal residential use and to bring the proposed ordinance to City Council on or before December 10, 2009. (Council Member Chris Riley, Council Member Laura Morrison and Council Member Randi Shade)
42. Approve a resolution directing the City Manager to bar Austin Police Department officers from conducting phlebotomies, and directing preparation of a range of alternative blood specimen collection methods, and report back to Council on or before December 17, 2009. (Council Member William Spelman, Mayor Lee Leffingwell and Council Member Laura Morrison)
43. Approve a resolution directing the City Manager to communicate and work with the State Health and Human Services Commission as model standards for local regulation of certain establishments housing elderly or disabled persons are developed pursuant to H.B. No. 216 of the 81st Texas Legislature, and recommend to council a potential permitting program to regulate such establishments, including a potential interlocal program with Travis County. (Council Member Laura Morrison, Mayor Pro Tem Mike Martinez and Council Member Randi Shade)
44. Approve a resolution directing the City Manager to prepare an ordinance amending Section 2-1-102 of the City Code (Animal Advisory Commission) to expand the Animal Advisory Commission's role and responsibilities. (Council Member William Spelman, Council Member Chris Riley and Council Member Randi Shade)
45. Approve a resolution appointing a new City Auditor and establishing compensation. (Council Member Sheryl Cole, Council Member Laura Morrison and Council Member Randi Shade)
46. Approve the waiver of certain fees and requirements under City Code Chapter 14-8 for the Bras Across the Bridge event sponsored by Clear Channel Radio and KASE 101 which is to be held Sunday, October 25, 2009, on the Congress Avenue Bridge. (Council Member Laura Morrison, Council Member Sheryl Cole and Council Member Randi Shade)

Item(s) to Set Public Hearing(s)

47. Set a public hearing to consider the use of approximately 40,000 square feet (0.92 acre) for a temporary staging area and material storage site for construction of storm drain improvements for the Shoal Creek – Rosedale Stormwater & Water Quality Improvements, Phase IIA & IIB Project through dedicated parkland known as the Ramsey Park. (Suggested date and time: November 19, 2009, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX). All costs associated with construction, as well as any parkland restoration will be paid by requester. Recommended by the Parks and Recreation Board.
48. Set a public hearing to consider the use of approximately 1,915 square feet (0.04 acre) permanent drainage easement, approximately 10,505 square feet (0.24 acre) temporary access and temporary workspace, to construct, use, maintain, repair, and replace a storm drain line and appurtenances for construction of a portion of the Lady Bird Lake/East 4th Street Drainage Improvements (CIP ID 5789.028) through dedicated parkland known as Town Lake – Holly Shores Park at 2615 Canterbury. (Suggested date and time: November 19, 2009, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX). All costs associated with construction, as well as any parkland restoration will be paid by requester. Recommend by the Parks and Recreation Board.

10:30 AM -- Morning Briefings

- 49. Presentation on the Strategic Mobility Plan
- 50. Briefing on Waller Creek Master Plan

12:00 PM -- Citizen Communications: General

Linda Greene – Why buy fluoride waste?

Ryan Rittenhouse – Austin Energy and the future of the city's energy mix

Olie Pope –Veterans Day parade

David Colbert – Repeal the sitting ordinance

John Monbelly – Sleeping tickets, sitting tickets and jobs

Ronnie Gjemre (Reeferseed) – Peace and freedom

Rae Nadler-Olenick – Water fluoridation

Paul Robbins – City issues

Gus Peña – City issues

Stoney Williams – Texas fireworks Dia de los muertos celebration October 31st presented by Planet K and sponsoring charities House the Homeless, Capital Area Food Bank and Mobile Loaves & Fishes

Executive Session

- 51. Discuss acquisition of an interest in real property for park purposes to be funded by November 2006 bonds. (Real Property- Section 551.072)

2:00 PM -- Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)

- 52 PH. NPA-2009-0022.01 – Congress Avenue Baptist Church – Conduct a public hearing and approve an ordinance amending Ordinance No. 20050929-Z001, the Greater South River City Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) from civic to mixed use on the western portion of the tract for the property located at 1511 South Congress Avenue. (East Bouldin Creek Watershed). Staff Recommendation: To approve mixed use land use designation on the western portion of the tract. Planning Commission Recommendation: To approve mixed use on the western portion of the tract. Applicant: Congress Avenue Baptist Church (Jim Gotcher). Agent: Dubois, Bryant, & Campbell (Henry Gilmore). City Staff: Maureen Meredith, 974-2695.
- 53 PH. C14-2009-0032 – Congress Avenue Baptist Church – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1511 South Congress Avenue (East Bouldin Creek Watershed) from family residence-neighborhood conservation combining district-neighborhood plan

(SF-3-NCCD-NP) combining district zoning to general commercial services-neighborhood conservation combining district-neighborhood plan (CS-NCCD-NP) combining district zoning, and general office-neighborhood conservation combining district-neighborhood plan (GO-NCCD-NP) combining district zoning. Staff Recommendation: To grant general commercial services- neighborhood conservation combining district-neighborhood plan (CS-NCCD-NP) combining district zoning, and general office-neighborhood conservation combining district-conditional overlay-neighborhood plan (GO-CO-NCCD-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services- neighborhood conservation combining district-neighborhood plan (CS-NCCD-NP) combining district zoning, and general office-neighborhood conservation combining district-conditional overlay-neighborhood plan (GO-CO-NCCD-NP) combining district zoning. Applicant: Congress Avenue Baptist Church (Jim Gotcher). Agent: Dubois, Bryant & Campbell (Henry Gilmore). City Staff: Stephen Rye, 974-7604.

- 54 PH. C14-2008-0242 - Mueller Austin Energy Substation - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2403 East 51st Street (Tannehill Branch Watershed) from community commercial-neighborhood plan (GR-NP) combining district zoning to public-neighborhood plan (P-NP) combining district zoning. Staff Recommendation: To grant public-neighborhood plan (P-NP) combining district zoning. Planning Commission Recommendation: To deny public (P) district zoning. Applicant: Austin Energy (Dorothy Kester). Agent: Stanley Consultants, Inc. (Charles Steinman). City Staff: Joi Harden, 974-2122.
- 55 PH. C14-2009-0091 - Third & San Jacinto Quarter Block - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 213, 215 and 219 E. 3rd Street (Town Lake Watershed) from central business district (CBD) district zoning to central business district-central urban redevelopment (CBD-CURE) combining district zoning. Staff Recommendation: To grant central business district-central urban redevelopment (CBD-CURE) combining district zoning. Planning Commission Recommendation: To grant central business district-central urban redevelopment (CBD-CURE) combining district zoning. Applicant: Hywhite, L.L. C. (Mark Frankiewicz). Agent: Armbrust & Brown, L.L.P (Lynn Ann Carley). City Staff: Clark Patterson, 974-7691.
- 56 PH. C14-2009-0093 - 2205 A and B Western Trails Zoning Change - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2205 A and B Western Trails Boulevard (Williamson Creek Watershed) from family residence (SF-3) district zoning to neighborhood office (NO) district zoning. Staff Recommendation: To deny neighborhood office (NO) district zoning. Zoning and Platting Commission Recommendation: To be reviewed on October 20, 2009. Applicant and Agent: Karl A. Burkett. City Staff: Wendy Rhoades, 974-7719.
- 57 PH. C814-2008-0087 - South Shore District PUD- Conduct a public hearing and approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1701 and 1801 S. Lakeshore, 1414 Arena Drive, 1333 Arena Drive, 1200 Tinnin Ford and 1201 Town Creek (Town Lake Watershed) from multi-family residence-medium density (MF-3) district zoning, multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning, and community commercial-neighborhood plan (GR-NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning with conditions. First reading approved on September 24, 2009. Vote: 5-2 (Mayor Leffingwell and Morrison voted Nay). Applicant: Grayco Town Lake Investments 2007, LP. Agent: Drenner & Golden Stuart Wolff, LLP (Michelle Rogerson). City Staff: Stephen Rye, 974-7604.

5:30 PM -- Live Music

Julius Young

5:30 PM -- Proclamations

Proclamation -- Municipal Court Week -- to be presented by Mayor Pro Tem Mike Martinez and to be accepted by Judge Evelyn McKee

Proclamation -- Pancreatic Cancer Awareness Month -- to be presented by Council Member Randi Shade and to be accepted by Greg Petrosewicz

Proclamation -- Habitat for Humanity's Pride Build -- to be presented by Council Member Randi Shade and to be accepted by Betty Naylor


Distinguished Service Award -- Dorothy Richter, Board of Adjustment -- to be presented by Mayor Lee Leffingwell and to be accepted by the honoree


Distinguished Service Award -- Mike Simpson, CTM -- to be presented by Mayor Lee Leffingwell and to be accepted by the honoree

6:00 PM -- Public Hearings and Possible Actions

- 58 PH. Conduct a public hearing and adopt an ordinance amending Chapter 25-5 (Site Plans) to add new section 25-5-5 to require approval of non-City water and wastewater utilities during site plan approval. Recommended by the Planning Commission and the Water and Wastewater Commission.
- 59 PH. Conduct a public hearing on appeals by Champion Assets, Ltd. and the 2222 Coalition of Neighborhood Associations of the Zoning and Platting Commission's decision to approve a site plan extension for a site located at 6015 N. Capital of Texas Highway, a project known as Champion Commercial Development.
- 60 PH. Conduct a public hearing and consider an amendment to the Land Development Agreement between the City and the Round Rock Independent School District to limit building coverage for development of Westwood High School, located at 12400 Mellow Meadow Drive, to 50% of the gross site area.

Adjourn

 The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.

 For assistance please call 974-2210 OR 974-2445 TDD.

A person may request a Spanish language interpreter be made available by contacting the Office of the City Clerk not later than twenty-four hours before the scheduled time of the item on which the person wishes to speak. Please call 974-2210 in advance or inform the City Clerk's staff present at the council meeting.

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más tardar de veinte y cuatro horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al 974-2210 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.